

REMARKS

I. Petition To Revive

This reply is in response to the Final Office Action of May 9, 2007, and is also being filed contemporaneously with a Renewed Petition under 37 C.F.R. § 1.137(b) and a Request for Continued Examination. Reconsideration of the instant case upon granting of the Renewed Petition under 37 C.F.R. § 1.137(b) is requested.

II. Appeal

The Assignee withdraws the Appeal by the filing of this reply submission.

III. 35 U.S.C. § 102(e) Rejections And Correction Of Continuity Data

Claims 1-14 stand rejected as being allegedly anticipated by Nelson (U.S. Pat. No. 7,093,194). Nelson claims priority to provisional application 60/243,974, filed on October 27, 2000. The instant application is a continuation of U.S. Application No. 09/679,297, filed on October 4, 2000, as evidenced by the attached Filing Receipt mailed May 28, 2004. Nelson is thus not prior art.

The current continuity data for the instant application erroneously indicates that this application is a continuation of U.S. Application No. 09/893,512, filed June 29, 2001. The source of this error may be due to a misfiled Request for Correct Filing Receipt filed by a third party on June 24, 2004. It is apparent from an examination of the current continuity data that the misfiled Request for Correct Filing Receipt should have been filed for U.S. Application No. 10/799,736, and not the instant application.

The Assignee requests that the continuity data for the instant application be corrected to reflect that the instant application is a continuation of U.S. Application No. 09/679,297.

IV. Claim Amendments

Claims 1-14 are canceled, and new claims 15-32 are added. No new matter has been added by the addition of claims 15-32, as these claims are supported by paragraphs 182 – 285 and figures 16-36 of the publication of the instant application (Pub. No. 2005/0165889).

Independent claims 15 and 25 distinguish over the art of record for at least the reasons set forth in the previous replies, and for the additional reasons that the prior art does not disclose, teach or suggest the application code that causes a client device to generate, time and update the report as claimed. Additionally, the dependent claims are likewise allowable as the prior art does not disclose, teach or suggest these additional claimed features either alone or otherwise in combination with the independent claims.

IV. Conclusion

The allowability of all of the pending claims has been addressed. The absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation.

Please apply any other charges or credits to deposit account 06 1050.

Applicant : Paul N. Muret et al.
Serial No. : 10/799,738
Filed : March 15, 2004
Page : 9 of 9

Attorney's Docket No.: 16113-1588003 / GP-1310-00-US-CON2

Respectfully submitted,

Date: _____

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/799,738	03/15/2004	2171	428	QSI-0001C2	36	14	4

34610
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CONFIRMATION NO. 9985

FILING RECEIPT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 00
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Date Mailed: 05/28/2004

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Applicant(s)

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 Hui Sok Moon, La Jolla, CA;

Assignment For Published Patent Application

URCHIN SOFTWARE CORPORATION;

Domestic Priority data as claimed by applicant

This application is a CON of 09/679,297 10/04/2000
 which claims benefit of 60/157,649 10/04/1999

Foreign Applications

If Required, Foreign Filing License Granted: 05/28/2004

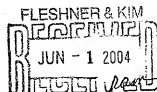
Projected Publication Date: 09/09/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title



System and method for monitoring and analyzing internet traffic

Preliminary Class

707

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